

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

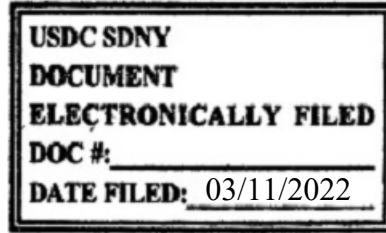
CALVIN REED,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.



20-CV-8352 (JPC) (BCM)

**AMENDED ORDER RE SECOND  
AMENDED COMPLAINT AND  
INITIAL CASE MANAGEMENT  
CONFERENCE**

**BARBARA MOSES, United States Magistrate Judge.**

By letter dated February 1, 2022 (Dkt. No. 37) the Corporation Counsel of the City of New York identified, by name and (where applicable) shield number, multiple police officers and detectives sued as "Doe" defendants in plaintiff Calvin Reed's Amended Complaint (Dkt. No. 12). However, the Corporation Counsel did not have enough information to identify all of the "Doe" defendants. By Order dated February 3, 2022 (Dkt. No. 38), the Court ordered plaintiff to file a letter, no later than March 4, 2022, providing a more detailed description of the 9/10/19 Warrant Officer Defendants and 8/3/20 Plain Clothes Defendants (as defined in the Court's Order), to assist the Corporation Counsel in properly identifying them. Plaintiff has not done so, and his deadline has now expired. Consequently, if plaintiff wishes to further amend his complaint, he must do so based upon the information available to him to date.

**Deadline for Filing Second Amended Complaint: April 11**

No later than **April 11, 2022**, plaintiff shall file his Second Amended Complaint. He may use the attached form for that purpose. Once he has filed his Second Amended Complaint the Court will review it and, if necessary, issue an order directing service on any newly identified defendants.

Plaintiff is reminded that in his Second Amended Complaint he must list, by name, title, and shield number (where applicable), each defendant he intends to sue. Additionally, in his

statement of claim, he must provide a short and plain statement of the relevant facts supporting each claim against each such defendant. To the greatest extent possible, the Second Amended Complaint must:

- a. give the names and titles of all relevant persons (whether or not those persons are defendants);
- b. describe all relevant events, stating the facts that support plaintiff's case including what each defendant did or failed to do;
- c. give the dates and times of each relevant event or, if not known, the approximate date and time of each relevant event;
- d. give the location where each relevant event occurred, as precisely as possible;
- e. describe how each defendant's acts or omissions violated plaintiff's rights;
- f. describe the injuries plaintiff suffered; and
- g. state what relief plaintiff seeks from the Court, such as money damages, injunctive relief, or declaratory relief.

In sum, plaintiff's Second Amended Complaint must tell the Court: who violated his federally protected rights; what facts show that his federally protected rights were violated; when such violations occurred; where such violations occurred; and why plaintiff is entitled to relief.

**Because Plaintiff's Second Amended Complaint will completely replace, not supplement, the Amended Complaint, any facts or claims that plaintiff wishes to maintain must be included in the Second Amended Complaint.**

**Initial Case Management Conference: Adjourned to April 26**

The initial case management and scheduling conference previously scheduled for April 5, 2022, is hereby ADJOURNED to **April 26, 2022 at 10:00 a.m.**, in Courtroom 20A of the Daniel Patrick Moynihan United States Courthouse. At the conference, the parties must be prepared to discuss the subjects set forth in Fed. R. Civ. P. 16(b) and (c).

It is ORDERED that each party confer with all other parties to make sure that all parties, or their attorneys, have a copy of this Order and can attend the conference. If any party needs to change the date of the conference, that party must make the request, by letter, as soon as the need for a different date is known. Please see § 2(a) of Judge Moses's Individual Practices for a description of what information must be contained in that letter.

It is further ORDERED that the parties come to the conference prepared to discuss the following subjects:

1. The issues in the case;
2. Whether any party intends to make a motion to dismiss or on the pleadings;
3. Whether any party wishes to amend a pleading or add new parties, and what the deadline should be for moving for leave to do so.
4. What discovery the parties plan to engage in, and what deadlines should be set for:
  - a. Exchanging the automatic disclosures required by Fed. R. Civ. P. 26(a)(1)(A);
  - b. Serving document production requests and interrogatories;
  - c. Taking depositions of fact witnesses;
  - d. Disclosing the identity and exchanging the reports of expert witnesses, if any, and taking their depositions; and
  - e. Completing all discovery;
5. Whether any special limitations should be placed on discovery, including protective or confidentiality orders;
6. Whether any special discovery issues are likely to arise that may warrant early attention from the Court;
7. What the deadline should be for filing summary judgment or other pretrial motions, if any;
8. What the deadline should be for the parties to submit a joint pretrial order (in accordance with the procedures of the judge before whom the trial will be conducted);

9. Whether and when the case should be (a) referred to mediation or (b) scheduled for a settlement conference with the Court; and
10. The anticipated length of trial and whether (and by which party) a jury has been requested.

**Plaintiff is advised that letters and other communications with the Court from *pro se* parties must not be sent directly to chambers.** Plaintiff is also reminded that all pleadings, letters and other documents filed with the Court must clearly identify the caption of this case (as shown on page 1 of this Order), including the docket number (20-CV-8352 (JPC) (BCM)), and must be signed by the party submitting them. *Pro se* parties may file pleadings, letters, and other documents with the Court by using any of the following methods:

- a. Mail or deliver the documents to the Pro Se Intake Unit, Room 105, Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007. The Pro Se Intake Unit (telephone 212-805-0175) may be of assistance to *pro se* litigants in connection with court procedures, but cannot provide legal advice.
- b. Drop off the document in the drop box located in the lobby of the U.S. Courthouse at 500 Pearl Street, New York, NY, 10007.
- c. Email the documents to [Temporary\\_Pro\\_Se\\_Filing@nysd.uscourts.gov](mailto:Temporary_Pro_Se_Filing@nysd.uscourts.gov). Instructions for filing documents by email may be found on the Court's website at [nysd.uscourts.gov/forms/instructions-filing-documents-email](https://nysd.uscourts.gov/forms/instructions-filing-documents-email).

Plaintiff is further advised that he may choose to receive documents filed in this case by e-mail instead of by regular mail. If plaintiff wishes to receive case information by e-mail, plaintiff must follow the instructions in the Consent and Registration Form, which is available on the website of the United States District Court for the Southern District of New York: <https://nysd.uscourts.gov/prose>.

There is a legal clinic in this District to assist people who are parties in civil cases and do not have lawyers. The Clinic is run by a private organization called the New York Legal Assistance Group; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any unrepresented party through the Pro Se Intake Unit). The Clinic is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York, in Room LL22. Appointments may be made by telephone at 212-659-6190.

In addition, the Pro Se Intake Unit (telephone 212-805-0175) may be of assistance to *pro se* litigants in connection with court procedures, but cannot give legal advice.

The Clerk of Court is respectfully directed to mail a copy of this Order, together with the letter at Dkt. No. 37 and the Order at Dkt. No. 38, to the *pro se* plaintiff.

Further, as this Amended Order supersedes the Order at Dkt. No. 41, the Clerk of Court is respectfully directed to strike Dkt. No. 41.

Dated: New York, New York  
March 11, 2022

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**